



UNITED TRANSPORTATION UNION

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Why You Should Join a Union...

**And Why Your Choice
Should Be the
United Transportation Union**



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The law and you

“It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce...by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

“Employees shall have the right to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection...”



The language above is quoted from the National Labor Relations Act, as amended. The United States Congress passed this law to protect you.

The purpose of this booklet is to acquaint you with

your rights under the law as determined by the Supreme Court, the federal courts and the National Labor Relations Board (NLRB). Read it carefully. You will find that you are protected in many ways when you join the United Transportation Union.

This booklet will explain how your employer violates the law if the employer should fire you, discipline you or threaten you in

any way because you want to join a union. You enjoy these rights as a citizen. But, as a member of the UTU, you have the strongest union in the U.S.A. to help you enforce these rights.

Congress has empowered the NLRB to conduct secret-ballot elections so workers may exercise a free choice. A leaflet entitled “Your Government Conducts an Election for You on the Job,” explaining the election process, is available at all board offices.

Remember, the law protects your right to organize. It is an unfair labor practice for an employer to: (1) interfere with, restrain or coerce employees in the exercise of the rights guaranteed them, or (2) discriminate, in regards to hiring or firing to encourage or discourage or interfere with membership in any labor organization.

Employees' Rights

You have the right:

- to self-organization
- to form, join or assist labor organizations
- to bargain collectively through representatives of your own choosing
- to act together for purposes of collective bargaining or other mutual aid or protection
- to refrain from any or all such activities.

Selection of representatives

The law provides that you have a right to organize. In fact, it is the policy of the United States to offer you every protection if you are even considering organizing. Your employer cannot interfere with your choice of the UTU.

The National Labor Relations Act specifically provides that the employer cannot dominate a labor organization. This means the employer cannot sponsor a company or union rival. Employers cannot ask you to sign a petition for or against any union. If you refuse to sign such a petition, employers cannot take any action against you.



There are two main methods by which labor unions are chosen to represent employees. If a majority of the employees indicate (usually by signing authorization cards) that they want the UTU to represent them, the employer can voluntarily recognize the UTU.

The other method is to have the National Labor Relations Board conduct an election. If a majority of the employees vote for the UTU, then the UTU is certified as the bargaining agent for all the employees. And the important thing is that every election conducted by the labor board is by secret ballot. No one, not your employer, your fellow employees or even the union, will know how you voted.

Your choice to have the UTU represent you is entirely up to you. The law guarantees it.

Collective strength

The United Transportation Union is the largest rail and bus union in North America. UTU was formed Jan. 1, 1969, by the merger of four independent unions representing numerous crafts of employees in the transportation industry.

Although a multi-craft union, UTU maintains complete craft autonomy with all craft rights protected. At the same time, the strength and power of united action by the entire organization will ensure better protection and benefits for the members.

The UTU represents drivers, mechanics, office workers, clerical workers, dispatchers and others employed in: local mass transit, urban and interurban transit, over-the-road bus lines, school bus operations, charter-commuter bus service, airport services, van and shuttle services, ticket/baggage agents and truckers/tie-down personnel.

UTU advantages are:

- International membership
- Strike fund
- Powerful legislative department
- Legal and protective departments
- Insurance department

Bus Department history

The United Transportation Union – through the Brotherhood of Railroad Trainmen (BRT), one of its predecessor unions – entered the bus industry in 1928, about the same time that many of the first bus companies were being formed by the railroads.

Organizing was slow because federal laws requiring railroads to recognize labor organizations did not apply in the bus industry.



Aggressive and progressive action by the UTU Bus Department has resulted in an impressive record of winning representation elections.

Excellent membership cooperation, diligent organizing work, success in negotiating top-notch

contracts and the preference of bus company employees for the United Transportation Union over other labor organizations have all contributed to the UTU Bus Department's ever-growing membership and list of victories.

The UTU Bus Department has shown steady growth and achievement since its beginnings nearly a half century ago. This has been possible because of the labor union spirit and dedication of Bus Department members and officers, many of whom have brought recognition and prestige to the union through their achievements in committee work, legislative activity and in various fields of public life.

Pioneers in the bus service division of the UTU proudly built a strong foundation. The march of progress of the Bus Department will continue with the active support and participation of the membership.

Discipline and discharge

The law protects you from discharge or discipline because of your interest in the UTU. Section 8(a)(3) of the National Labor Relations Act makes it unlawful for your employer to discriminate against you in regard to tenure or any other condition of employment in order to discourage your interest in the UTU.

If your employer takes away your seniority, lays you off, reduces your wages or discriminates against you in any other way because of your union activities, the law will protect you. It will require the employer to restore your position and make them pay you for any damages, including lost wages, that you suffered. If an employee is fired because of his or her interest in or activities on behalf of the UTU, the law will make the employer reinstate



the employee with all rights and with full back pay. Every year the National Labor Relations Board orders employers to pay millions of dollars in back pay.

Furthermore, your employer can't tell you that he or she won't abide by the order of the labor board. The federal courts enforce these orders of the board for you. The courts have held employers in contempt of court for refusing to comply with these orders. In one case, rather than just fining the employer for such refusal, the court put the president of the company in jail until he complied.

Threats, promises, coercion

Section 8(a)(1) of the National Labor Relations Act provides that an employer cannot interfere with, restrain or coerce you in the exercise of your rights under the Act.

Because of this provision, your employer cannot threaten to fire you, lay you off, suspend you or close down the business, or make any other threats because of your interest in the UTU.

If your employer does threaten you, remember it is unlawful for an employer to do so and the law will protect you. You are not alone.

Your employer may promise you benefits such as an increase in wages in order to keep the union out. Do not believe it. Only a contract obtained through collective bargaining can obligate the employer to pay an increase. Without a contract, the employer is not obligated to give an increase and can cancel any increase at any time.

There are many other things that this section of the Act makes unlawful. The employer cannot call you into the office and question you about the union. He or she cannot spy on your meetings or ask you what went on, or who was there.

This is not all that this section makes unlawful, but these things should give you an idea of the type of conduct that the law forbids.

Some suggestions

Throughout this booklet we have outlined a few of the ways in which the law protects you because of your interest in and activities on behalf of the UTU.

If you hide the light of your interest under a cover, the employer can claim that he or she wasn't even aware of your union activities.

This makes it more difficult for the law to protect you. Then it is up to you to prove that any discrimination was because of your interest in the union.



But, if you are very open about your interest in the UTU, if you talk about it on your work breaks, wear a UTU button, attend the union meetings and help to get your fellow employees signed up, then your employer cannot say that he or she was not aware of your union activities.

Belonging to the UTU is something of which you can be justly proud. Men and women doing all types of work in the bus and rail transportation industries belong to the UTU and enjoy the benefits that only a strong union can obtain. Openly sharing your interest in the UTU benefits you and your fellow employees, and it makes it much easier for the law to protect you.

Remember, the United States government stands behind you when you want to join the UTU.

Membership benefits in brief

Listed below are but a few of the benefits contained in many UTU contracts which your negotiator will negotiate for you.

1. Job security
2. Seniority
3. Increased wages
4. Do away with runarounds
5. Benefits negotiated for members and their families:
 - a. Vacation pay
 - b. Paid holidays
 - c. Sick-leave pay
 - d. Paid prescriptions
 - e. Hospital and medical plans
 - f. Dental and vision plans
 - g. Life insurance
 - h. Pensions
 - i. Bereavement pay
6. Grievance procedure with legal representation
7. Binding arbitration
8. A union-negotiated contract by professional negotiators

You be the judge... the decision is yours

You CAN have a voice (with thousands of others) in making the conditions that govern your job security, wages, pension and the health and welfare of your family.

HERE'S HOW

Sign a UTU authorization card. This card is kept strictly confidential. In the event of an election, only the government official supervising the election will have access to it. Please fill it out and either mail or hand it to your representative.

REMEMBER: THE LAW PROTECTS YOUR RIGHT TO ORGANIZE!

Notes